

Molly C. Dwyer  
Clerk of Court

Office of the Clerk  
**United States Court of Appeals for the Ninth Circuit**  
Post Office Box 193939  
San Francisco, California 94119-3939  
415-355-8000

**FILED**

MAY 14 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

**DOCKETING NOTICE**

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Docket Number: 24-3061  
Originating Case Number: 2:22-cv-03391-SSS-RAO  
  
Short Title: Pena, et al. v. International Medical Devices, Inc., et al.

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Dear Appellant/Counsel

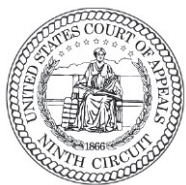
A copy of your notice of appeal/petition has been received in the Clerk's office of the United States Court of Appeals for the Ninth Circuit. The U.S. Court of Appeals docket number shown above has been assigned to this case. You must indicate this Court of Appeals docket number whenever you communicate with this court regarding this case.

Motions filed along with the notice of appeal in the district court are not automatically transferred to this court for filing. Any motions seeking relief from this court must be separately filed in this court's docket.

Please furnish this docket number immediately to the court reporter if you place an order, or have placed an order, for portions of the trial transcripts. The court reporter will need this docket number when communicating with this court.

**Failure of the appellant to comply with the time schedule order may result in dismissal of the appeal.**

**Please read the enclosed materials carefully.**



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## TIME SCHEDULE ORDER

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Docket Number:	24-3061
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Case Title:	Pena, et al. v. International Medical Devices, Inc., et al.

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### Monday, May 20, 2024

International Medical Devices, Inc.  
Menova International, Inc.  
Gesiva Medical, LLC  
James J. Elist, M.D.  
James Elist

Mediation Questionnaire due  
Mediation Questionnaire due  
Mediation Questionnaire due  
Mediation Questionnaire due  
Mediation Questionnaire due

### Monday, June 24, 2024

International Medical Devices, Inc.  
  
Menova International, Inc.  
  
Gesiva Medical, LLC  
  
James J. Elist, M.D.  
  
James Elist

Appeal Opening Brief (No  
Transcript Due)  
Appeal Opening Brief (No  
Transcript Due)  
Appeal Opening Brief (No  
Transcript Due)  
Appeal Opening Brief (No  
Transcript Due)  
Appeal Opening Brief (No  
Transcript Due)

### Wednesday, July 24, 2024

Edward Pena

Appeal Answering Brief (No  
Transcript Due)

Brandon Miller

Appeal Answering Brief (No  
Transcript Due)

If there were reported hearings, the parties shall designate and, if necessary, cross-designate the transcripts pursuant to 9th Cir. R. 10-3.2. If there were no reported hearings, the transcript deadlines do not apply.

The optional reply may be filed within 21 days of service of the answering brief. See Fed. R. App. P. 31 and 9th Cir. R. 31-2.1.

**Failure of the appellant to comply with the time schedule order may result in automatic dismissal of the appeal. See 9th Cir. R. 42-1.**